

BEFORE THE FEDERAL ELECTION COMMISSION

JUN - 1 2001

**SENSITIVE**

In the Matter of

) MUR 4947  
)  
)  
)  
)

Kemp for Vice President and  
Kirk L. Clinkenbeard, as treasurer

**GENERAL COUNSEL'S REPORT #3**

**I. ACTION RECOMMENDED**

Accept counteroffer submitted by Kemp for Vice President and Kirk L. Clinkenbeard, as treasurer ("the Committee").

**II. BACKGROUND**

On March 6, 2001, the Commission found probable cause to believe that the Committee violated 2 U.S.C. § 441a and 11 C.F.R. § 110.1(b)(3)(i) for receiving funds in excess of net debt and then transferring those funds to the National Republican Senatorial Committee ("NRSC"). The Commission also approved a conciliation agreement

On May 11, 2001, the Committee submitted a counteroffer to the Commission's conciliation agreement. Attachment 1.

**III. COUNTEROFFER**

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**IV. RECOMMENDATIONS**

1. Accept the counteroffer made by Kemp for Vice President and Kirk L. Clinkenbeard, as treasurer and approve the attached Conciliation Agreement.
2. Close the file.
3. Approve the appropriate letter.

Date

6/1/01

Lois G. Lerner

Acting General Counsel

**Attachments:**

1. Counteroffer submitted by Kemp for Vice President and Kirk L. Clinkenbeard, as treasurer, dated May 11, 2001.
2. Proposed Conciliation Agreement.

21.04.405.1449



FEDERAL ELECTION COMMISSION  
Washington, DC 20463

MEMORANDUM

TO: Office of the Commission Secretary

FROM: Office of General Counsel *AGS*

DATE: June 1, 2001

SUBJECT: MUR 4947- General Counsel's Report #3

The attached is submitted as an Agenda document for the Commission Meeting of \_\_\_\_\_

Open Session \_\_\_\_\_

Closed Session \_\_\_\_\_

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